

VZCZCXYZ0000
PP RUEHWEB

DE RUEHCL #0020/01 0470901
ZNR UUUUU ZZH
P 160901Z FEB 10
FM AMCONSUL CASABLANCA
TO RUEHC/SECSTATE WASHDC PRIORITY 8631
INFO RUEHC/DEPT OF LABOR WASHDC
RUEAHL/DEPT OF HOMELAND SECURITY WASHDC
RUEATRS/DEPT OF TREASURY WASHDC
RUEBWJA/DEPT OF JUSTICE WASHDC
RUCNMGH/MAGHREB COLLECTIVE
RUEHAD/AMEMBASSY ABU DHABI 0001
RUEHUJA/AMEMBASSY ABUJA 0001
RUEHBS/AMEMBASSY BRUSSELS 1016
RUEHMK/AMEMBASSY MANAMA 0579
RUEHRO/AMEMBASSY ROME 0365
RUEHBS/USEU BRUSSELS
RUEHGV/USMISSION GENEVA 0014

UNCLAS CASABLANCA 000020

SIPDIS
SENSITIVE

STATE FOR G/TIP, G - PENA, G/IWI AND DRL/NESCA
STATE ALSO FOR INL/AEE, NEA/MAG, NEA/RA AND PRM
STATE PLEASE PASS AID/W AND USTR

E.O. 12958: N/A
TAGS: [PHUM](#) [KTIP](#) [PREF](#) [ELAB](#) [SMIG](#) [KCRM](#) [KFRD](#)
ASEC, KMCA, KWMN, MO
SUBJECT: MOROCCO: 2010 ANNUAL TRAFFICKING IN PERSONS
REPORT

REF: A. 09 STATE 2094
[1](#)B. 08 CASABLANCA 0255

[1](#)1. (U) This cable responds to action request (Ref A) for updated information on the Moroccan government's efforts to combat trafficking in persons from April 2009 to February 2010.

OVERVIEW

[1](#)2. (SBU) The Government of Morocco (GOM) has taken a number of steps in 2009 that indicate it is poised to make substantive changes to strengthen its legislation, as well as enforcement and protection policies, for trafficking in persons (TIP) crimes. The GOM announced in May 2009 its intention to ratify the United Nations' 2000 Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons. In February 2010, the GOM validated the first ever Trafficking In Persons report in Morocco conducted by the International Organization for Migration (IOM) in cooperation with government ministries. The report, which is due to be made public shortly, includes a comprehensive overview of the GOM's strengths and weaknesses on TIP issues and includes recommendations for legislative and policy reform. The GOM intends to either pass comprehensive TIP legislation or amend the penal code to create a category of TIP crimes. Moreover, two separate ministries have submitted draft legislation that seeks to bring greater enforcement and stiffer penalties against individuals who employ child domestics.

[1](#)3. (SBU) In 2009 the GOM dismantled 130 trafficking networks. However, it continued to conflate migrant smuggling and human trafficking. The GOM prioritized law enforcement activities intended to investigate, prosecute and deter trafficking rings. The Ministry of Interior (MOI) reported that in 2009 it successfully thwarted the attempted illegal

migration of 5,549 people of which 2,672 were Moroccans and 2,877 were non-Moroccans. The Royal Moroccan Navy intercepted 131 sub-Saharan migrants attempting illegal crossings on wooden boats. In spite of USG demarches at the ministerial-chief of mission level, the GOM has not yet implemented screening procedures or protections for victims of international trafficking and has taken few steps to prevent its own nationals from becoming victims of international trafficking.

14. (SBU) On the domestic front, Morocco continued to wrestle with internal trafficking problems, specifically the widespread issue of child labor, unaccompanied minors trafficked to Europe, and the sexual exploitation of children, particularly in tourist areas. The GOM reported that in the first six months of 2009, labor inspectors issued 94 warnings and 39 fines to businesses for employing children under 15 years of age. In addition, the inspectors issued 616 warnings and 19 fines to businesses for employing children between the age of 15 and 18. The GOM also took measures against child sexual exploitation and reported that in 2008 (the most recent statistics available) it successfully prosecuted 25 cases of homosexual sex against a child, 138 cases of exploitation of a child for begging, 73 cases of exploitation of children in drugs, 25 cases of facilitating the illegal immigration of a minor, 203 cases of facilitating the prostitution of a minor, 504 cases of sexual assault of a minor, and 1,122 cases of aggravated

sexual assault of a minor. The GOM also reported that in 2009 10 foreigners were prosecuted for homosexuality, encouraging a minor to engage in prostitution, facilitating the exploitation of a minor and violent rape of a minor; their sentences ranged from one month to two years in prison. The political will exists at the highest levels of the Moroccan Government to solve these problems; however, prioritizing budgets and reforms and the implementation of existing laws continue to be a challenge.

15. (SBU) The GOM treats domestic trafficking issues primarily as a development issue. For example, most anti-child labor programs in Morocco focus on providing financial support and education to the targeted family to ensure that children stay in school for as long as possible. For fiscal year 2009, the GOM and the International Labor Organization contributed the equivalent of USD 337,758 to ten Moroccan NGOs to implement programs on combating child labor, raising awareness and rescuing children. We note that the GOM has made a concerted effort to respond to USG requests for information on TIP developments, but it lacks the bureaucratic infrastructure to report requested statistics accurately.

16. (SBU) Due to its geographic location, Morocco is a source for trafficked people, a destination country, and a place of transit. Morocco faces a number of substantial socio-economic challenges including poverty, high levels of illiteracy, unemployment and clandestine migration, all of which contribute to the problem of trafficking. Spain has increased funding for and cooperation with Moroccan border security forces to prevent clandestine migration. Clandestine sub-Saharan migrants, who are especially vulnerable to trafficking, have increasingly taken up residence in Morocco because of the success of the Spanish-Moroccan border security measures. END OVERVIEW.

Response to Reporting Questions

17. (SBU) PARAGRAPH 25: Morocco's TIP Situation.

-- 25/A. Sources for information on Trafficking in Persons (TIP) include the Moroccan Ministry of Justice (MOJ); the Ministry of Interior (MOI), in particular the Directorate of Borders and Migration; the Ministry of Social Development, the Family, and Solidarity (MOSD); the Ministry of Employment and Professional Training (MOEPT), and the Ministry of Foreign Affairs and Cooperation (MFA). In addition, international organizations such as IOM, UNHCR, UNDP, UNIFEM and UNICEF have provided information. International NGOs such as Caritas, Medecins sans Frontieres (MSF), and Christian churches that provide assistance directly to the migrant community are well placed to provide insight into their situations. National NGOs, especially those focusing on women and children, such as Bayti, INSAF, Solidarite Feminine, Fondation Occidental Oriental, the Moroccan Association of Women's Rights, the Democratic League Defending Women's Rights, the anti-pedophilia organization Hands Off My Child, and others were able to provide a picture of the situation of exploited women and children.

-- In February 2010 the GOM validated an IOM study detailing trafficking in Morocco. The report provides a comprehensive picture of the types of

trafficking in Morocco but focuses exclusively on victims trafficked across international borders, principally Moroccans trafficked for sexual exploitation or forced labor to Europe and the Middle East and sub-Saharan trafficked through Morocco to Europe. The report entitled "Transnational Trafficking of Persons: Situation and Analysis of the Moroccan Response" is scheduled to be publicly available in February or March 2010 and includes a list of legislative and policy recommendations for the GOM to improve its response to trafficking in persons.

-- The IOM report did not address the issue of internal trafficking or child labor, especially the widespread problem of "petites bonnes" (i.e., young rural girls brought to urban areas to work as domestic servants). GOM and UN officials reported UNICEF and UNIFEM, with the cooperation of the GOM, plan to undertake a second study that will deal with internal trafficking; that is scheduled to begin this year.

-- 25/B. Morocco is a country of origin, transit and for men, women, and children subjected to conditions of commercial sexual exploitation and forced labor. Domestic trafficking generally involves young rural children recruited to work as child maids or laborers in urban centers. Morocco is also a country of transit and destination for internationally trafficked men, women and children, principally from sub-Saharan Africa and Asia. It is a country of origin for men, women and children trafficked to European countries and the Middle East.

-- Both Moroccan boys and girls were at risk of being trafficked internally for labor. Young girls were trafficked from the countryside to work as domestic laborers in larger cities. These young girls were especially vulnerable to abuse. They are paid a minimal wage, which is frequently sent directly to their parents; they do not attend school; and they are susceptible to physical and sexual abuse by their employers. The phenomenon is so widespread in part due to the pervasive mentality of urban people who view having a young maid to be a form of charity. These employers believe they are

helping a rural family financially, providing a place for the young girls to live, and giving them job training. Boys were farmed out as apprentices in the artisanal sector, construction field or in mechanic shops where they worked carrying supplies and performing menial tasks.

-- Up-to-date and accurate information on the number of children trafficked for labor is not available. A 2003 study by UNICEF entitled "Understanding Children's Work" (UCW) estimated that 600,000 children between the ages of 7 and 14 worked. A 2001 study by Save the Children estimated that at that time between 66,000 and 88,000 children were employed as child domestics. That represented 2.3 percent to 3 percent of the total child population in the 7 to 15 age group (total of 2.87 million).

-- The employment of non-Moroccan nationals as domestic workers is very uncommon though there is a small community of Filipinos and other nationalities from Asia working in Morocco. The IOM TIP report found four cases of Filipino women recruited in their homeland for employment as domestic servants who then became trafficking victims in Morocco. Upon arrival the women were made to work long hours;

received low or no salaries; were made to repay the price incurred for their travel and hiring fees; had their travel documents confiscated; saw their freedom of movement limited; and were threatened with arrest by the police if they attempted to leave.

-- The phenomenon of children trafficked to Europe, often with the assistance and encouragement of their families, continued to be a problem. Families typically sent these unaccompanied minors with the expectation that at the age of 18 they would be able to normalize their situation and work to support their families in Morocco. In 2007, the GOM and Spain signed an agreement to facilitate the repatriation of the over 6,000 minors living in Spain. To date, these repatriations have not occurred and MOI officials reported that minors, albeit in low numbers, continued to be found among the clandestine migrants. In September 2009 the Moroccan and Spanish media reported on the interception of six minors aboard a smuggling ship along the coast of Tarifa, Spain. The children ranged in age from 10 to 16 years old. Spain via its international aid agency and Italy via IOM-funded programs in 2009 assisted in the community development of areas that are a source for unaccompanied minors.

-- Sub-Saharan women, who often began their journeys as voluntary migrants, were forced into prostitution to pay off debts on arrival in Morocco or while still en route to Europe. The IOM TIP report, NGOs and Christian charitable organizations that work with these women reported that criminal gangs of Nigerians are responsible for running such trafficking rings to Europe and frequently run brothels in Morocco to exploit the women while in transit. According to a report issued by MSF in 2007 and confirmed by NGOs that work with migrants, these Nigerian criminal gangs are well organized and keep sub-Saharan women in captivity in houses in Casablanca, Rabat and Nador for prostitution. The women reportedly suffer from terrible treatment including beatings, torture and sexual violence.

-- In addition, Moroccan women were trafficked to Syria, Saudi Arabia, Bahrain, the U.A.E. and other Arab Gulf countries with the promise of high salaries working in hotels, restaurants or as domestic workers and forced upon arrival to work in

bars and brothels. According to media reports, in January 2010 a criminal court in Abu Dhabi, the United Arab Emirates, sentenced seven men to life in prison and six others, including one Moroccan woman, to ten year sentences for their role in a human trafficking ring. The 18 victims were all Moroccan women brought to the Gulf through a Moroccan recruiter and promised high salaries working in hotels. Upon their arrival they were forced into prostitution, locked in apartments, threatened and beaten. The Moroccan daily newspaper Al Misaa (The Evening) reported in January 2010 that 500 Moroccan women, licensed as "artists and dancers" but working as prostitutes in upscale hotels, were expelled from Bahrain during the summer of 2009. GOM officials acknowledged the trafficking problem in Bahrain but were skeptical of Al Misaa's sourcing and expressed doubts about as to the alleged large numbers.

-- The Hassan II Foundation for Moroccans Resident Abroad (MREs or Marocains Residents a l'Etranger) published a report in 2007, noting that MRE employment in the Gulf was comprised largely of

female workers (70 percent) and that in most cases the work performed once in country did not accurately correspond to their contracts. The report also stressed that many of the women, especially those employed under "artist contracts," were engaged in prostitution. According to statistics from the Moroccan Ministry of Employment and Professional Training (MOEPT), between the years 2000 and 2006 there were 2,046 Moroccans with "art and music" contracts in the Gulf Council Cooperation (GCC) countries. This number included 1,519 in Bahrain, 387 in Oman, and 125 in the U.A.E. The report also noted that while not all contracts are fraudulent, MREs are also employed in other fields and then trafficked into prostitution. The report also indicated that for the same time period, the MOEPT reported 1,759 Moroccans were employed in hotel management, 888 as hairdressers, 414 as domestics, 447 as beauticians, 364 as tailors, and in numerous other professions.

-- Neither the GOM nor NGOs could provide accurate statistics on the numbers of children and/or women trafficked for sexual exploitation though all parties acknowledged that the problem existed. A 2008 study of prostitution in Morocco by the NGO Pan-African Organization Fighting against AIDS (OPALS) found that children under the age of 15 were exploited principally in the following areas and towns: Azrou (Ain Louh), Beni Mellal and the region of Meknes (El Hajeb). The NGO Touche Pas a Mon Enfant (TPME or Hands Off My Child), which works with victims of pedophilia and child sexual exploitation, especially in Marrakesh and Agadir, published an annual report in 2009. The report recorded 306 cases of sexual abuse in 2008 and noted that the true number of cases is unknown. TPME reported direct involvement in 166 cases while 140 others were gleaned from press reports. These cases of sexual abuse included a wide range of crimes including incest, rape of a minor and other crimes that are not considered trafficking crimes.

-- TPME and other NGOs report that sex tourism is a problem especially in popular tourist destinations such as Tangier, Agadir, and Marrakesh. The clients are typically from the Arab Gulf countries and from Europe. The Moroccan media reported that in May 2009, 16 Saudi nationals and 2 Libyans were arrested for their participation in an upscale prostitution ring in Casablanca. According to the press, the foreign nationals, who were accused of operating a human trafficking ring and debauchery of minors, were sentenced to prison terms ranging from six

months to five years and fines up to 20,000 Dirham (USD 2,500) in June 2009. The Moroccan owner of the apartment and doormen were sentenced to three and half years in prison.

-- The IOM's TIP report noted a limited number of alleged cases of Moroccan adults trafficked to Europe. In one alleged case a group of youth from Beni Mellal and Khouribga purchased a contract to work legally in Spain for 5,000 Euros. Upon arrival, the youth discovered the employing company was fictitious and the Moroccan intermediary demanded they begin work as drug dealers lest they be deported. In another case reported on by the newspaper Ash Sharq Alawsat in February 2009, a group of Moroccan women were forced into prostitution in the Spanish enclave of Ceuta to pay the debts incurred by smuggling them to Europe.

-- While there are no accurate statistics on the numbers of internationally trafficked victims in Morocco, the Directorate of the Border and Migration in the MOI reported that the GOM dismantled 130 trafficking and smuggling networks in 2009. The IOM, with the cooperation of the GOM, voluntarily repatriated 1,258 illegal migrants in 2009. The MOI successfully thwarted the attempted illegal migration of 5,549 people of which 2,672 were Moroccans and 2,877 were non-Moroccans. The Royal Moroccan Navy intercepted 131 sub-Saharan migrants on wooden boats attempting illegal crossings in 2009. These numbers are significantly lower than in previous years. The MOI attributed the decrease to its strong cooperation with the Spanish Government and MOI's increased efficiency in monitoring its borders. UNHCR, IOM and NGOs that work with the migrant population estimate there are between ten and twenty thousand sub-Saharan migrants in Morocco at any given time.

-- 25/C: Women and children trafficked for sexual exploitation both internally and abroad are frequently misled as to the nature of their work. According to media reports of these women they are frequently approached by someone who offers them a high-paying job as a waitress or dancer in a hotel or work as a maid in Gulf countries. Upon arrival the women are met by a new party who confiscates travel documents and reveals to them the true nature of their work. Reports about individual cases show that many of these women are locked into hotels or apartments, threatened, beaten, starved and suffer psychological trauma. The women are often told they need to pay off debts incurred to bring them to the country. The costs demanded are sometimes exorbitant and impossible to repay. Sub-Saharan women and children who illegally migrated to Morocco are also at greater risk for being trafficked and sexually exploited. NGOs reported that sub-Saharan women suffer horrific treatment including beatings, torture and sexual violence.

-- Families are frequently complicit in the trafficking of their children to be domestic servants and apprentices since the family is typically the recipient of the child's wages. Domestic servants are exclusively young girls who start working as young as seven years of age. Reports by UNICEF and by the Municipality of Casablanca found that these domestic servants or "petites bonnes" work an average of 67 hours per week, are illiterate in over 80 percent of the cases, do not attend school and receive an average monthly salary of USD 50. Child domestics are especially vulnerable to physical, emotional and sexual abuse by their employers. Non-governmental organizations such as Bayti, which works with street

children, and INSAF and Solidarite Feminine, which works with unwed mothers, reported that the overwhelming majority of their beneficiaries are former child domestics who have fled from abusive households.

-- Young boys who work in artisan workshops, construction, garages and factories face conditions that are often dangerous and hazardous to their health. The 2003 UNICEF UCW report found that over half of all working children faced serious or very serious work risks and that only three percent faced no risks.

-- 25/D: Children living in remote rural areas, with large impoverished families, and who have parents with little or no formal education, are more

likely to be targeted by traffickers for work in urban areas. A 2001 study of child maids by the Municipality of Casablanca in Casablanca found that 87 percent were born in rural areas, 83 percent were illiterate, 45 percent were from families of 8-10 people, and in 70 percent of the cases the child's father was dead. Typically children from northern regions such as Tetouan, Nador, El Hoceima and Oujda are more likely to be trafficked to Europe. Middle Atlas and High Atlas children supply labor to the artisanal shops in Fes, Meknes, Marrakesh and Casablanca. Sub-Saharan women often are forced to prostitution to support themselves and are particularly vulnerable to robbery, violence and rape. They are unlikely to report crimes for fear of being deported.

TRAFFICKERS

-- 25/E: Traffickers of child labor, known as "simsars" or middlemen, typically visit remote villages in search of destitute families in order to place the children as either domestics or apprentices in urban areas. The middlemen negotiate, for a fee, the salary that the family will be paid for the child's work. According to the IOM TIP report, the Nigerian criminal gangs that prey on sub-Saharan migrants are organized along ethnic lines into "houses" which have a chief based in Oujda, even if there are subsidiary branches in Morocco's larger cities. These gangs compete for control of the trafficking of sub-Saharan migrants. The gangs are allegedly involved in diverse criminal activities including drug trafficking, human smuggling and prostitution. There are also Moroccan criminal gangs with international ties that are involved in the smuggling of drugs and contraband as well as people. Traffickers working as intermediaries for networks in the GCC countries are typically found in Morocco's larger cities. Though some are reported to work out of travel agencies, most intermediaries operate by referral and also look for recruits in the hotels and nightclubs in the cities.

18. (SBU) PARAGRAPH 26 A-B: The GOM acknowledges that trafficking is a problem. While the MOJ is designated as the coordinating ministry for trafficking issues, the MOI is the primary ministry dealing with prevention, enforcement and protection issues. Within the MOI, the Directorate of Migration and Border Security dealt with clandestine immigration while prostitution and sexual exploitation fall under the police. Three other ministries were chiefly responsible for child labor issues: The Ministry of Employment and Professional Training is responsible for enforcing the Labor Code; the Ministry of Social Development, the Family, and Solidarity oversees the National Action Plan for Children; and the Ministry of National

Education, specifically its Department of non-Formal Education, tries to provide remedial education and job training to child workers. Prosecution of individuals charged with trafficking or violations of labor laws fell to the Ministry of Justice.

--26/C: The Government is limited in its ability to address trafficking problems in some areas, principally in providing sufficient resources, human and otherwise, to deal with the problem. For example, the MOEPT employs 421 inspectors for the entire country, 45 of which are designated as child labor focal points. The number of inspectors is inadequate to deal fully with the scope of the

problem or child labor. In addition, the inspectors do not have the legal authority to check homes, preventing them from enforcing the question of child labor. Morocco is also very limited in the social services it is able to offer victims and relies principally on NGOs and charitable organizations to provide services.

-- Corruption and impunity remained problems and reduced police effectiveness and respect for the rule of law. Petty corruption is widespread among the police and the Gendarmerie, and broader, systemic corruption undermined both law enforcement and the effectiveness of the judicial system. The MOI increased investigations of abuse, human rights violations and corruption. As a result, in 2009 the Government reported that it prosecuted a total of 282 security officials for various crimes ranging from "assault and battery leading to death" to petty bribery throughout Morocco and Western Sahara. There were prosecutions against approximately 191 employees of the Judicial Police, the Royal Gendarmerie, the Auxiliary Forces, the Royal Navy, and prison guards for bribery and influence misuse; most other cases were for physical abuse or mistreatment. Despite these investigations and prosecutions, many other investigations rarely resulted in disciplinary action or judicial proceedings, and a great many more incidents of corruption never were investigated.

-- 26/D: The Government does not systematically monitor anti-TIP efforts and is unable to provide information on the number of victims trafficked or the prosecution of traffickers. The GOM was able to provide some limited information on the number of smugglings rings intercepted, employers fined for employing underage workers, and prosecutions for child sexual exploitation. In February 2010 the IOM, with the cooperation of the GOM, published the first ever assessment of the trafficking situation in Morocco and the GOM's response to the problem.

-- 26/E: The GOM provides birth certificates for all Moroccan nationals and issues a national identity card for all citizens on their 18th birthday.

-- 26/F: The Ministry of Justice (MOJ) is responsible for gathering and recording statistics on the prosecution and sentencing of crimes. The MOJ's ability to accurately report this information is limited by the rudimentary reporting system used in the Moroccan judiciary. All court cases, testimonies, decisions and sentences are recorded by hand and compiled at the end of the year by the Ministry. The most up-to-date information at the beginning of 2010 comes from 2008. The GOM has announced ambitious plans to reform the judiciary, but the Mission anticipates change will be slow in coming.

TRAFFICKERS:

-- 27. PARAGRAPH A-D: No new legislation regarding trafficking has been enacted since the last TIP report.

-- Please refer to the Post's 2008 TIP report (Ref B) for detailed information on the specific codes and penalties for trafficking and sexual and labor exploitation. There have been no changes to the laws since the 2008 report. The 2003 Immigration

Act covers the codes and prescribed punishments for trafficking, the Penal Code for rape, prostitution and sexual exploitation, and the Labor Code for child labor and forced labor.

-- In May 2009 the Secretary General of the Government announced the GOM's intention to sign and ratify the UN's 2000 Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, though to date it has not done so. The IOM's report on Trafficking in Persons in Morocco received final validation from the GOM in February 2010 and is scheduled for public distribution shortly. This report highlights many aspects of the TIP problems in Morocco and includes recommendations for legislative and operational improvements, among which is the passage of a TIP-specific law. The Ministry of Justice's (MOJ's) senior coordinator for TIP issues told PolOff that Morocco intends to incorporate many of the report's recommendations and will either amend the current Penal Code to include specific anti-TIP crimes or draft a comprehensive TIP law. The MOJ representative was unable to provide a timeline for action.

-- At the end of 2009 the Ministry of Employment and Professional Training (MOEPT) and the Ministry of Social Development, the Family and Solidarity (MOSD) each submitted separate draft legislation to the Secretary General of the Government to address the problem of child domestics. The MOSD proposal would create stiff penalties including mandatory prison time for anyone who employs child domestics, their traffickers, the families that send the children, and those, such as neighbors, who are aware of the situation and fail to report it. Enforcement would be the responsibility of the police. The MOEPT proposal would ensure that all domestic workers are covered by the labor code; that a written contract is registered with the authorities; and that labor inspectors would have responsibility for enforcement of the code. The fact that two separate ministries have submitted draft legislation on the issue is an indication of how serious the GOM is in addressing the issue of child domestics.

-- 27/E: According to the MOI, the GOM broke up 130 trafficking/smuggling rings in 2009 and 220 rings in 2008. The GOM does not distinguish between rings that are engaged in human trafficking and in human smuggling. The GOM did not provide any further specifics on the number of individuals, the laws under which they were prosecuted and the length of these sentences.

-- The GOM reported on fines and warnings directed against employers and companies for using child labor. The Ministry of Employment and Professional Development (MOEPT) through its office of labor inspectors reported that in the first six months of 2009, labor inspectors issued 94 warnings and 39 fines to businesses for employing children under 15 years of age. In addition, the inspectors issued 616 warnings and 19 fines to businesses for employing children between the age of 15 and 18. There are 421 labor inspectors charged with

enforcing the labor code. However, the inspectors are limited in number, resources and investigative power, which affects their ability to fulfill their enforcement function.

-- The lack of a specific trafficking law makes it difficult to know whether a crime actually involved a trafficking offense and hence is punished

appropriately. The IOM TIP Report gave the example of a case in 2006 in Rabat in which a woman, who had been trafficked into prostitution to one of the GCC countries returned to Morocco and lodged a complaint against the recruiter. The man was tried for fraud and inciting a person to debauchery and sentenced to one and half years in prison. The prosecutor has appealed the decision, arguing that the penalty did not accurately reflect the gravity of the crime committed.

-- Labor inspectors do not have the authority to inspect private residences for underage domestic servants. As in previous years, neither the MOJ nor the MOEPT was able to point to any cases of fines or sanctions levied against individuals for the illegal employment of child domestics or the prosecution of middle-men or "simsars" who traffic children from rural to urban areas. In cases of high profile physical or sexual abuse of child domestics, the GOM took action to prosecute the perpetrator. In one highly publicized incident, a 13-year-old child domestic in the city of Oujda fled her employer after being allegedly beaten and burned with a metal iron. The courts prosecuted the employer, the wife of a judge, and sentenced her to three and half years in prison in October 2009 for committing intentional assault and battery on a minor under 15, as well as for the use of a weapon with malicious intent. In a previous case in November 2007 a woman in the city of Mohammedia was sentenced to four years of prison for beating and injuring a minor under 15 years of age who worked as her domestic servant.

-- The MOJ provided statistics related to sexual exploitation and violence against minors but was unable to identify which cases involved trafficking victims or to provide sentencing information. The MOJ reported that in 2008 there 25 cases of homosexual sex against a child, 138 cases of exploitation of a child for begging, 73 cases of exploitation of children in drugs, 25 cases of facilitating the illegal immigration of a minor, 203 cases of facilitating the prostitution of a minor, 504 cases of sexual assault of a minor, and 1,122 cases of aggravated sexual assault of a minor. The MOJ also reported that in 2009 10 foreigners were prosecuted for homosexuality, encouraging a minor to engage in prostitution, facilitating the exploitation of a minor and violent rape of a minor; their sentences ranged from one month to two years in prison.

-- The anti-pedophilia NGO Hands off My Child (TPME) issued a report in 2009 attacking the GOM's alleged weak prosecution and sentencing of those involved in the sexual abuse of children. The report alleged that of the 166 cases of sex abuse the NGO worked on, the average prison term ranged from between four and six months with a fine ranging between 9,000 and 60,000 Dirham (USD 1,125 and 7,500). The report did not distinguish between the types of sex crimes or indicate which might involve trafficking victims. The report also drew attention to the case of two foreign tourists involved in child sexual exploitation and the GOM's alleged failure to properly prosecute or to enforce their sentence. In the first case, in 2004 the Moroccan authorities

arrested a French national, Earvey Legloinick, allegedly in possession of 17,000 photos of child pornography and 140,000 videos of child pornography. He was initially sentenced to four years in prison, which was subsequently reduced to two years. He was

then pardoned and released from prison in 2006 before completing his two-year sentence. In the second case in 2006, a 59-year old French national, Jack-Henri Soumere, was caught by the police while having sex with a 16-year old boy. Soumere, a well-known artistic director of a Paris theater, was charged only with committing homosexual acts and not for having sex with a minor. He was sentenced to a suspended sentence of two months in prison. A lawyer for TPME in Marrakesh told PolOff that the GOM's leniency towards prosecuting foreign tourists continues to the present and cited the recent example of an unnamed French national sentenced to only six months in prison after being found guilty of sex with a minor.

-- 27/F. The MOJ reported that judges and public prosecutors receive training specific to TIP issues during their initial training program. In addition, each of the 20 tribunals in Morocco has assigned to it a women and children's cell that has received specialized training on TIP related issues. The MOI also reported that the territorial police and border security officials have received training through a TIP module. In April 2009, the MOJ conducted an awareness raising course for magistrates about victim protection and working with victims who have been affected by violence or sexual exploitation. There were 80 magistrates, 10 judicial police, and 10 Ministry of Health representatives present at the course. Training programs for the Royal Gendarmerie, the Auxiliary Forces, and the police include modules on trafficking in persons. The U.S. Department of Homeland Security held a conference in June 2009 in Casablanca on trafficking in persons that was attended by GOM customs officials. All security force training since 2006 includes training modules on fighting migrant smuggling (17 to 30 hours according to the grade of the officer). The module covers national and international laws, the migratory situation in Morocco, migratory movement, control of borders and methods for preventing illegal immigration. In addition, UNHCR sponsored a two-week training course in July 2008 for 200 judges and public prosecutors on refugee law that also included a section on trafficking in persons.

-- The labor inspectors appointed as child labor "focal points" in each of the 45 inspector offices received specialized training on the issue of child labor, forced labor and the worst forms child labor.

-- 25/G: The GOM actively cooperates with Spanish authorities to prevent the smuggling of people and goods across the Strait of Gibraltar and to the Canary Islands. However, the GOM could not provide information specific to the prosecution or investigation of instances of trafficking. The GOM has limited relations with Algeria and the land border has been closed since 1997. The overwhelming majority of illegal sub-Saharan migrants enter from Algeria or Mauritania and are likewise expelled back across the border.

-- 25/H: Morocco was party to several bilateral and multilateral conventions on judicial cooperation and extradition of criminals with European, Arab, Asian and other African countries. Morocco has ratified the 2000 United Nations Convention on Transnational Organized Crime (CTO). Article 18 of the CTO stipulates mutual legal assistance in the prosecution and investigation of crimes covered by

the convention. In addition, the GOM has a Mutual Legal Assistance Treaty (MLAT) with the United

States, but it does not include provisions for extradition. The Mission is not aware of the GOM extraditing any individuals charged with trafficking and in 2009 the GOM did not have any pending or concluded cases of extraditing trafficking offenders to the United States.

-- 25/I: There was no evidence of national government involvement in, or tolerance for, trafficking. On a local level, however, press reports, anecdotal information and information from local NGOs indicated that corruption is a problem among Morocco's security forces. Trafficking of persons to Europe is integrally connected to the trafficking of migrants, drugs and other contraband.

-- 27/J: The MOI was unable to provide post with statistics for the prosecution of GOM officials specific to TIP related crimes.

-- The MOI did provide general information on the prosecution of security officials for bribery and corruption. In 2009 the GOM reported that it prosecuted 191 employees of the Judicial Police, the Royal Gendarmerie, the Auxiliary Forces, the Royal Navy, men in power and prison guards for bribery and abuse of power. 44 people were sentenced to terms of prison ranging from one-month suspended sentence to 4 years imprisonment, while the remaining cases are still under adjudication. The GOM also indicated that 68 of the cases involved officers of the Royal Gendarme and principally involved petty bribes extorted from motorists. The GOM was not able to provide information on which, if any, of these cases involved TIP-related bribery or corruption.

-- 25/K: In recent years the GOM has contributed troops to UNOCI and UNMIK. There were no incidents or accusations of trafficking or sexual abuse against Moroccan troops in 2009. The UN investigated accusations of sexual abuse against GOM forces participating in a peacekeeping mission in Cote d'Ivoire in 2007 and concluded that there was insufficient evidence to charge any of the personnel. All Moroccan soldiers participating in UN peacekeeping missions receive training on the issue of sexual exploitation.

-- 27/L: Morocco has a problem with sex tourism. European, especially French and Spanish men, as well as Arabs from the Gulf Cooperation Council (GCC) countries, are the principal countries of origin for sex tourists. In 2009, the MOJ reported that 10 foreigners were prosecuted for homosexuality, encouraging a minor to engage in prostitution, facilitating the exploitation of a minor and violent rape of a minor; they received sentences that ranged from one month to two years in prison. The MOJ was not able to provide information on the nationality of the individuals. The MOJ was not able to provide information on how many foreigners were prosecuted or expelled for their involvement in sex tourism. According to media reports, 16 Saudi nationals and 2 Libyan nationals were given sentences ranging from six months to five years in prison for their involvement in a prostitution ring. We are not aware of Moroccan nationals traveling abroad to engage in sex tourism, and Moroccan law does not include child sexual abuse laws with extraterritorial coverage similar to the U.S. PROTECT law.

19. (SBU) PROTECTION AND ASSISTANCE TO VICTIMS:

-- 28/A: The GOM in general does not have a formalized system to provide protection to victims and witnesses. The security forces can and will intervene to ensure the safety of a victim in the short-term.

-- 28 B: The GOM did not have assistance services that were specifically targeted at victims of trafficking and relied on the NGO community to provide most services to victims of trafficking. Child victims of abuse are, in most cases, placed into the care of a suitable NGO. The GOM has two Child Protection Units operating in Marrakesh and Rabat, which are centers that provide medical, legal and social services to children who are the victims of violence or sexual abuse. The GOM also has established an emergency telephone hotline known as the "green line" for people to report incidents of abuse against women or children and for referral services. The GOM has recently also undertaken a mobile assistance program in Casablanca called SAMU which provides medical care and social services to vulnerable women and children. The GOM has created "women and children" focal points at certain courts in Rabat and Casablanca that assist victims with legal services and help them to navigate the judicial proceedings. The Foundation Hassan II for Moroccans Resident Abroad has a budget to assist Moroccan citizens in situations of distress while abroad. Morocco's Center for Migrant Rights provided counseling services, including an explanation of one's legal and civil rights, to Moroccan migrants; however, legal representation was not offered, nor was shelter, medical or psychological services.

-- 28/C: Legal residents of Morocco who are the victims of violence or sexual abuse are able to access the GOM's health services, including psychological care, typically by first consulting with a primary care physician. The GOM, as a general rule, does not provide medical and psychological care for illegal migrants. Charitable organizations such as Caritas, Medecins sans Frontiers (MSF) and others provide limited and basic medical care to the migrant population and in some individual cases have been able to arrange for the emergency care of non-resident foreigners.

--28/D: The GOM does not have procedures in place to provide government assistance, including temporary to permanent residency status, for victims of trafficking.

-- 28/E: The GOM does not provide longer-term shelter or housing benefits or other resources to victims of trafficking.

-- 28/F: The GOM does not have a referral process to transfer TIP victims detained, arrested or placed in protective custody by law enforcement authorities.

-- 28/G: The GOM was unable to provide information on the number of victims trafficked. Morocco did not differentiate between victims of trafficking and smuggled migrants. Foreign trafficking victims were generally treated as illegal migrants. They were often arrested and deported along with other migrants. Morocco routinely rounded up illegal sub-Saharan migrants and left them at the Algerian border, often without food or water. Migrants left at this "no man's land" between the Algerian and

Moroccan authorities were particularly susceptible to robbery, violence and extortion at the hands of criminal gangs that control the smuggling of

contraband in the area.

-- 28/H: The GOM does not have a formal system to proactively identify victims of trafficking among high-risk persons with whom they come in contact.

-- 28/I: Sub-Saharan victims of trafficking, while they may participate in the judicial proceedings prosecuting traffickers, are usually deported. An MOJ official informed PolOff that judges have the discretion to ignore a TIP victim's illegal presence when confronted with a case of trafficking. However, there are not formal procedures in place to protect the victim and ensure he or she is not deported.

-- For domestic victims of trafficking, in 2003 Parliament changed the Penal Code so that runaway child maids may be administratively returned to their families instead of being arrested for vagrancy. If returning them to their parents was not possible or feasible, they would be placed in separate youth centers, not mixed in with juvenile delinquents.

-- 28/J: While victims were not encouraged to file civil suits against traffickers, they often testified on behalf of the GOM when it sought to prosecute trafficking cases. Specific numbers of victims who testified were not available.

-- 28/K: The GOM provides training to its consular officials on TIP issues. The GOM did assist trafficking victims, principally women in Gulf and Arab countries, to return to Morocco and provided assistance with travel documents and transport home. The GOM was not able to provide the number of TIP victims that were assisted in 2008.

-- 28/L: The Mission is not aware of any financial or medical assistance provided to Moroccans who are repatriated as victims of trafficking.

-- 28/M: The IOM and UNHCR are the primary organizations that provide assistance to trafficking victims. UNHCR has a range of health, education and financial services that are available only to those with recognized refugee claims. IOM is able to provide voluntary repatriation and a reintegration program to migrants seeking to return home. In 2009 the IOM assisted in the voluntary return of 130 migrants from Morocco. In addition, the IOM in conjunction with the Moroccan, Spanish and Italian Governments worked to establish shelters and a system to assist Moroccan minors who have been the victims of trafficking abroad. International NGOs such as Medecins sans Frontieres (MSF), Caritas and several Christian charitable organizations provided basic medical care and limited financial assistance to clandestine migrants in Casablanca, Rabat and northern areas such as Oujda, Nador, and Tangier. These NGOs did not receive funding from the Moroccan Government.

10. (SBU) PREVENTION:

-- 29/A: The Government has periodically undertaken awareness-raising campaigns related to the abuse of children, child labor and sexual exploitation. In 2007 the GOM ran an anti-child labor awareness-raising campaign that included billboards,

advertisements on buses and radio spots. The Ministry of Employment and Professional Training (MOEPT) has prepared a new anti-child labor campaign for 2010. The MOEPT shared details of the campaign and campaign material with PolOff. The campaign is scheduled to begin in April 2010 and will include

radio, print and other media advertisements to raise awareness about the dangers and the legal ramifications of employing child maids.

-- 29/B: The GOM closely monitors and attempts to combat clandestine migration though it does not differentiate between illegal migration and trafficking. The GOM does not have procedures in place to identify or screen for victims of trafficking along its borders.

-- 29/C: The Ministry of Justice has the lead in coordinating GOM policy on trafficking. In practice, the MOI is responsible for preventing and enforcing trafficking related statutes.

-- 29/D: The GOM has produced a document entitled, "The National Strategy to Combat Human Trafficking," which was formulated in 2007 by the Ministry of Interior under the supervision of the Directorate of Migration and Border Control along with an inter-ministerial committee of coordination. The plan describes the GOM's strategy in terms of prevention, combating trafficking and protection. The plan is largely an overview of past democratization and human rights reforms and current efforts to control the borders and stem illegal migration and smuggling. The plan does not address in a concrete fashion current anti-TIP efforts or intended reforms. NGOs were not consulted in its development.

-- In 2006 the GOM launched its "National Plan of Action for Children," outlining the government's strategy for 2006-2015 and headed by the king's sister, Princess Lalla Meryem. The plan's four goals are to improve children's health and education; protect children from abuse, violence, and exploitation; and combat HIV/AIDs. As part of plan and the GOM's anti-child labor efforts, the Ministry of Employment and Professional Training (MOEPT) led by the Office of the Director of Work, in conjunction with ILO-IPEC and local NGO partners, oversaw a number of anti-child labor programs. There are currently 10 anti-child labor programs being funded, some of which began in 2007 and which will continue up to 2010. For fiscal year 2009, the GOM and IPEC contributed the equivalent of USD 337,758 to the NGOs to implement programs on combating child labor, raising awareness and rescuing children.

-- 29/E: The Ministry of Justice informed the Mission that, in conjunction with the Ministry of Tourism, an anti-sex tourism plan of action was under discussion. The Mission is not aware of any new steps taken by the Government on this issue.

-- 29/F: We are not aware of any steps taken by the GOM to reduce the participation of Moroccan nationals in international child sex tourism.

-- 29/G: Post reported in 2008 in detail about steps that Morocco has taken to enforce a "zero tolerance" standard for its troops involved in UN peacekeeping missions in 2005 and 2007 (Ref B). Morocco provides training to all of its UN peacekeepers to sensitize them to the issue of sexual exploitation.

11. (U) Mission POC on TIP issues is Matthew W. Lehrfeld, Political/Labor Officer, ConGen Casablanca, tel.: 212-522-26-50, ext. 4151; fax: 212-22-20-80-96; mail: Unit 9400, Box 24, DPO, AE 09718; pouch: 6280 Casablanca Place, Washington, DC 20521-6280; email: lehrfeldmw@state.gov.

¶12. (U) Embassy Rabat cleared this message.

MILLARD